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Date of Deposit: March 9, 2001

617-0300
Attorney Docket No. 15966-615 (CURA-115)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Prayaga and Shimkets

SERIAL NUMBER: 09/732,436

EXAMINER: Not Yet Assigned

FILING DATE: December 7, 2000

ART UNIT: Not Yet Assigned

FOR: NOVEL POLYPEPTIDES AND POLYNUCLEOTIDES ENCODING SAME

March 9, 2001

Boston, Massachusetts

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

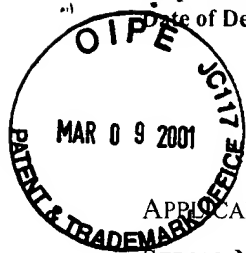
- ☒ Information Disclosure Statement (3 pages);
- ☒ Modified Form 1449/PTO duplicate copy (1 page);
- ☒ Copies of Cited references: C1-C7; and
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

No fee is believed to be due. However, if any fees are to be assessed, the Commissioner is hereby authorized to charge the balance due to the undersigned's account, Deposit Account No. 50-0311 (Reference No. 15966-615, CURA-115). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Naomi Biswas, Reg. No. 38,384
Shelby J. Walker, Reg. No. 45,192
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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

U.S. Patent Documents:

Foreign Patent Documents:

Other Prior Art – Non Patent Literature Documents:

Capon, et al., 1985 "Two distinct families of human and bovine interferon-alpha genes are coordinately expressed and encode functional polypeptides." Mol. Cell. Biol. 5 (4): 768-779. GenBank Accession Number: **P07352**

Hajnicka, V., N. Fuchsberger, et al. (1996). "Interferon-omega suppresses hepatitis B surface antigen production in human hepatoma cell line." Acta Virol 40(4): 221-2.

Henco, et al. (1985). "Structural relationship of human interferon alpha genes and pseudogenes." J Mol Biol. Sep 20;185(2): 227-60.

Himmler, et al., 1986 "Molecular cloning and expression in Escherichia coli of equine type I interferons DNA 5: 345-356. GenBank Accession Number: **M14545**.

APPLICANTS: Prayaga and Shimkets
U.S.S.N.: 09/732,436

Olopade, et al., (1992) "Mapping of the shortest region of overlap of deletions of the short arm of chromosome 9 associated with human neoplasia." Genomics Oct;14(2):437-43.

Rodriguez, M., V. Martinez, et al. (1998). "The bovine IFN-omega 1 is biologically active and secreted at high levels in the yeast *Pichia pastoris*." J Biotechnol 60(1-2): 3-14.

Tiefenthaler, M., F. Geisen, et al. (1997). "A comparison of the antiproliferative properties of recombinant human IFN-alpha 2 and IFN-omega in human bone marrow culture." J Interferon Cytokine Res 17(6): 327-9.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the National Application;
- ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- ☒ before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

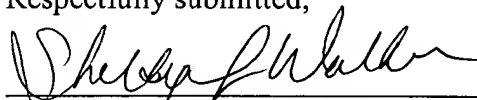
A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Prayaga and Shimkets
U.S.S.N.: 09/732,436

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 15966-615, CURA-115).

Respectfully submitted,



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TRADOCS:1447275.1(V0Q301!.DOC)

Date of Deposit: March 9, 2001

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	09/732,436
	Filing Date	December 7, 2000
	First Named Inventor	Prayaga
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	15966-615 (CURA-115)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1						

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Capon, et al., 1985 "Two distinct families of human and bovine interferon-alpha genes are coordinately expressed and encode functional polypeptides." <u>Mol. Cell. Biol.</u> 5 (4): 768-779. GenBank Accession Number: P07352
	C2	Hajnicka, V., N. Fuchsberger, et al. (1996). "Interferon-omega suppresses hepatitis B surface antigen production in human hepatoma cell line." <u>Acta Virol</u> 40(4): 221-2.
	C3	Henco, et al. (1985). "Structural relationship of human interferon alpha genes and pseudogenes." <u>J Mol Biol.</u> Sep 20;185(2): 227-60
	C4	Himmeler, et al., 1986 "Molecular cloning and expression in Escherichia coli of equine type I interferons DNA 5: 345-356. GenBank Accession Number: M14545
	C5	Olopade, et al., (1992) "Mapping of the shortest region of overlap of deletions of the short arm of chromosome 9 associated with human neoplasia." <u>Genomics</u> Oct;14(2):437-43
	C6	Rodriguez, M., V. Martinez, et al. (1998). "The bovine IFN-omega 1 is biologically active and secreted at high levels in the yeast <i>Pichia pastoris</i> ." <u>J Biotechnol</u> 60(1-2): 3-14.
	C7	Tiefenthaler, M., F. Geisen, et al. (1997). "A comparison of the antiproliferative properties of recombinant human IFN-alpha 2 and IFN-omega in human bone marrow culture." <u>J Interferon Cytokine Res</u> 17(6): 327-9.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRADOCs:1447268.1(V0PW01!.DOC)